

Application Number 10/539188
Response to the Office Action dated May 12, 2009

REMARKS

Favorable reconsideration of this application is requested in view of the following remarks.

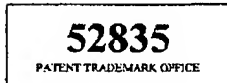
Claim 1 has been amended. The exclusion of heavy peroxide from the deuterated solvent is supported by the discussion of its disadvantages in the paragraph beginning on page 2, line 9 of the specification, coupled with the disclosure of an extensive list of potential solvents other than heavy peroxide beginning on page 9, and the specific examples that do not use heavy peroxide. Claims 1-3 and 5-13 are pending. Applicants note with appreciation the allowance of claims 11 and 12.

Claims 1-3, 5-10 and 13 have been rejected as obvious over Dingwen in view of US 4,874,890 to Kato. Applicants respectfully traverse this rejection. Initially, Applicants note that page 4 of the Office Action cites page 476 of Kato for support. Applicants believe that this is an incorrect citation, as Kato does not have 476 pages, and request clarification of either the identity of the reference or the portion of Kato that is considered relevant.

Dingwen discloses a deuteration process in the presence of D_2O , alkaline metal deuterioxide ($NaOD$), a reduced Adams catalyst ($PtO_2 \cdot H_2O$), and D_2O_2 (see coln. 2, lines 4-19 and tables 1-3). Due to the presence of alkaline metal deuterioxide such as $NaOD$, the deuteration reaction of Dingwen is carried out under a basic condition. In contrast, claim 1 requires a neutral condition of the deuteration. In addition, claim 1 precludes the use of D_2O_2 , while Dingwen specifically requires its presence. Page 4 of the Office Action refers to Kato as disclosing the use of D_2 gas as a source of deuterium. However, since claim 1 does not require the use of D_2 gas, this point is irrelevant for claim 1. Applicants respectfully contend that the rejection reflects a misinterpretation of claim 1 and the prior art. Therefore, the rejection should be withdrawn.

Application Number 10/539188
Response to the Office Action dated May 12, 2009

In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance.



Dated: August 12, 2009

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902
Minneapolis, MN 55402-0902
(612) 455-3800

By: 

Douglas P. Mueller
Reg. No. 30,300
DPM/mz